

ORDINANCE NO. 1139

1 AN ORDINANCE amending ordinance 931 relating to and
2 regulating sewage disposal systems, providing for
3 Sewage Disposal System Designers and Sewage Disposal
4 System Installers, requiring permits, defining offenses,
5 providing penalties and providing for a Board of Review
6 and declaring an emergency.

7 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

8 SECTION 1. DEFINITIONS. Certain words and phrases in this
9 ordinance, unless otherwise clearly indicated by their context, shall
10 mean as follows:

11 APPROVED. Approved in writing by the Director of Public
12 Health.

13 DIRECTOR OF PUBLIC HEALTH: The Director of the Seattle
14 King County Department of Public Health or his authorized represen-
15 tative.

16 SANITARY DRAINAGE SYSTEM. The piping which conveys sewage
17 from plumbing fixtures to a public sewer or private sewage disposal
18 system.

19 SEWAGE. Any liquid or liquid-borne waste from the ordinary
20 living processes, or liquid or liquid-borne waste which contains
21 animal or vegetable matter in suspension or solution, or liquid or
22 liquid-borne waste which may contain chemical in solution, and which
23 may be lawfully discharged into a public sanitary sewer.

24 SEWAGE DISPOSAL SYSTEM. Sanitary drainage systems, septic
25 tanks, leaching pits, surface and sub-surface leaching filter beds,
26 and appurtenances; or other approved facilities for the disposal of
27 sewage by means other than through a public sewer.

28 REPAIR, The replacement, addition, or alteration of a
29 septic tank, distribution box, tight line, or other appurtenances
30 to an existing individual sewage disposal system, and including any
31 replacement, addition, or alteration to a sub-surface disposal field
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1 where at least a portion of the original sub-surface disposal field
2 is used.

3 RESIDENT OWNER OR INTENDED RESIDENT OWNER. A person who
4 constructs not more than one residence in any one year for his own
5 occupancy.
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7 SECTION 2. Enforcement: The Director of Public Health
8 shall enforce this ordinance; he may adopt rules and regulations
9 consistent with this ordinance, and he may enter any building or
10 premises at any reasonable time to perform any of the duties imposed
11 on him by this ordinance.
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13 SECTION. Retroactivity: This ordinance shall not apply to
14 any work on a sewage disposal system for which a permit had been
15 issued by the Director of Public Health; and which permit was valid
16 and existing at the time of adoption of this ordinance; but any such
17 work shall be subject to applicable resolutions existing at the time
18 such permit was issued.
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20 SECTION 4. Designers Certificate:

21 1. It is unlawful to engage in business as a Sewage Dis-
22 posal System Designer without a currently valid Sewage Disposal
23 System Designers Certificate of Competency, as provided for in this
24 ordinance, or a currently valid State of Washington Sanitary or
25 Civil Engineers license.
26

27 2. The fee for a Sewage Disposal System Designer's Certif-
28 icate of Competency shall be fifty dollars (\$50.00) per year.

29 3. The fee for the Sewage Disposal System Designer's
30 examination shall be twenty-five (\$25.00) payable in advance and not
31 refundable. Separate, special examinations shall be given to those
32 licensed designers desiring to design dosing systems or plats. The

1 fees for these examinations shall be ten dollars(\$10.00) each pay-
2 able in advance and not refundable.

3 4. The Director of Public Health may suspend or revoke any
4 Sewage Disposal System Designer's Certificate of Competency if,
5 after a hearing. he shall find incompetency, negligence, misrepre-
6 sentation, or failure to comply with this ordinance or the rules and
7 regulations of the Director of Public Health adopted pursuant to
8 this ordinance.

10 5. Sewage Disposal System Designer's Certificates of
11 Competency shall expire December 31st of each year.

12 SECTION 5. Installer's Certificate:

13 1. It is unlawful to engage in business as a Sewage Dis-
14 posal System Installer without a currently valid Sewage Disposal
15 System Installer's Certificate of Competency.

17 2. The fee for a Sewage Disposal System Installer's
18 Certificate of Competency shall be one-hundred dollars (\$100.00)
19 per year.

20 3. Prior to the issuance of a commercial installer's
21 Certificate of Competency, the applicant must provide a surety bond
22 approved as to form by the King County Prosecuting Attorney in the
23 sum of One-Thousand dollars (\$1,000.00) running to King County,
24 Washington, executed by a surety company authorized to do business
25 in the State of Washington. The bond shall be conditioned that the
26 holder of the Certificate of Competency and his agents in performing
27 work governed by the ordinance shall exercise all reasonable care
28 and skill and shall fully comply with all provisions of this ordi-
29 nance pertaining to sewage disposal.

30 4. Application for a Sewage Disposal System Installer's
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1 Certificate of Competency shall be made to the Director of Public
2 Health, who may examine the applicant, and may deny the application
3 if in his judgement the applicant is not qualified to install sew-
4 age systems.

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6 5. The Director of Public Health may suspend or revoke
7 any Sewage Disposal System Installer's Certificate of Competency if,
8 after a hearing, he shall find incompetency, negligence, misrepres-
9 sentation, or failure to comply with this ordinance or the rules
10 and regulations of the director of Public Health adopted pursuant
11 to this ordinance.

12
13 6. Sewage Disposal System Installer's Certificates of
14 Competency shall expire December 31st of each year.

15 Section 6. Permits:

16 1. It is unlawful to construct, install, repair or alter
17 a sewage disposal system without a sewage disposal system permit.
18 Such permit shall be posted on the building or premises where the
19 work permitted is being done, before the work is begun, and unless
20 revoked, shall not be removed until such work has been finally
21 approved by the Director of Public Health.

22
23 2. The fee for a sewage disposal system permit shall be
24 fifteen dollars (\$15.00) for such system serving a single family
25 residence, or twenty-five dollars (\$25.00) for any other such system.

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27 3. Application for a sewage disposal system permit shall
28 be made to the Director of Public Health, who may deny the applica-
29 tion if in his judgement the physical features of property on which
30 it is proposed to locate the sewage disposal system, or the design
31 of the proposed sewage disposal system, are not adequate for safe
32 operation of such system.

1 4. Application for a sewage disposal system permit shall
2 be supported by the following:

- 3 (a) A completely dimensioned plot plan, drawn to scale,
4 showing direction of surface drainage, approximate
5 slope, and other topographical features relevant to
6 the design and installation of an adequate and
7 efficient sewage disposal system.
8
9 (b) Construction plans and specifications.
10 (c) A log of soil formation and ground water level as
11 determined by test holes in the proposed disposal
12 field.
13
14 (d) A statement of absorption characteristics of the soil
15 as determined by percolation tests made in the pro-
16 posed disposal field.
17
18 (e) Such other information as the Director of Public
19 Health may require.

20 Provided, however, that Paragraph 4, Items (a), (b), (c),
21 and (d), are not applicable when application is made for a sewage
22 disposal permit for repairs to an existing system.

23 5. Sewage disposal system permits shall expire one year
24 from date of issue.

25 SECTION 7. Where Required: Every plumbing fixture and
26 every sanitary drainage system not connected to a public sewer, or
27 not required by law to be connected to a public sewer, shall be
28 connected to a private sewage disposal system.

29 SECTION 8. Location: Sewage Disposal Systems shall be
30 located on the same lot as the buildings they are designed to serve,
31 or, if an easement therefor is obtained and recorded, on other
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1 other property if approved by the Director of Public Health.

2 SECTION 9. Design:

3 1. Sewage disposal systems shall be designed by a
4 Sewage Disposal System Designer, certificated as provided in this
5 ordinance, or by a Sanitary or Civil Engineer licensed by the
6 State of Washington, except that a resident owner, or intended
7 resident owner may personally design a system for his own single
8 family residence, provided he designs not more than one system in
9 any one calendar year. The fee for plan review of the design shall
10 be \$10.00.
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12 2. Design of sewage disposal systems shall be such as to
13 accomodate all sewage from the buildings and premises to be served,
14 and in accordance with this ordinance and the rules and regulations
15 of the Director of Public Health adopted pursuant to this ordinance.
16 The type of system shall be determined by location, soil porosity,
17 ground water level and other relevant conditions.
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19 SECTION 10. Construction Installation or Repair:

20 1. Sewage disposal systems shall be constructed, installed,
21 or repaired only by a Sewage Disposal System Installer, certifi-
22 cated as provided in this ordinance, except that, a resident owner
23 or intended resident owner may personally construct, install or
24 repair a system for his own single family residence, provided he
25 constructs not more than one system in any one calendar year.
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27 2. Construction, installation or repair of sewage disposal
28 systems shall be such as to accommodate all sewage from the build-
29 ings and premises to be served, and in accordance with this ordi-
30 nance and the rules and regulations of the Director of Public
31 Health adopted pursuant to this ordinance. No downspout or foot-
32 ing drain shall be directly or indirectly connected to a sewage
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1 disposal system, and sewage disposal systems shall be so construc-
2 ted and installed that surface water or ground water will not
3 interfere with the operation of such system.

4 SECTION 11. Inspection:

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6 1. Any work done on a sewage disposal system, and any
7 material used, may be inspected by the Director of Public Health
8 at any reasonable time, and if he shall find that any work done,
9 or material used, is not in accordance with this ordinance or
10 with the rules and regulations of the Director of Public Health
11 adopted pursuant to this ordinance he may revoke the permit for
12 the work, or he may notify the owner or installer to make such
13 changes in the work as he shall specify, and if such changes are
14 not made within a reasonable time, the Director of Public Health
15 shall then revoke the permit and it shall be unlawful to use such
16 sewage disposal system.
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18 2. When the work of constructing or installing a sewage
19 disposal system has been otherwise completed, it shall be left
20 open and uncovered, and the owner shall be notified and he shall
21 cause an inspection of such work and such system to be made by a
22 designer. When the work of repairing a sewage disposal system
23 has been completed under a waiver of design as provided for in
24 Section 6.4, it shall be left open and uncovered and the owner
25 shall be notified and he shall call for an inspection of such
26 work and such system to be made by the Director of Public Health.
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29 3. If upon inspection by him following work on a sewage
30 disposal system, a designer shall find that such work or system
31 is not in accordance with this ordinance, he shall so notify the
32 owner who shall cause such changes in the work as are specified
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1 by the designer, and shall then again notify a designer that such
2 work is ready for inspection.

3 4. When upon inspection by him following work on a
4 sewage disposal system, a designer shall find that such work and
5 system are in accordance with this ordinance, he shall so certify
6 to the Director of Public Health, and shall submit to the Director
7 of Public Health with such certification, a detailed "as built"
8 drawing of such system.
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10 SECTION 12. Approval:

11 1. Within a reasonable time after receipt of certifica-
12 tion by a designer that work done on a private sewage disposal
13 system, and such system, is in accordance with this ordinance, the
14 Director of Public Health shall approve or disapprove thereof.
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16 2. If the Director of Public Health shall disapprove such
17 work or system, he shall so notify the owner, stating his reasons
18 for such disapproval, and it shall then be unlawful to use such
19 system.
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21 3. If the Director of Public Health shall finally approve
22 such work and such system, he shall so notify the owner, and then
23 such work shall be covered, and such system may be used.

24 SECTION 13. Maintenance: Sewage disposal systems shall
25 be maintained in accordance with this ordinance and the rules and
26 regulations of the Director of Public Health adopted pursuant to
27 this ordinance, and no sewage disposal system shall be used which
28 directly or indirectly discharges upon the surface of the ground
29 or into any waters within the County unless the contents of such
30 system have been subjected to approved purification and bacteri-
31 cidal treatment.
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1 SECTION 14. Penalty: Anyone violating or failing to
2 comply with this ordinance, or any lawful rule of the Director
3 of Public Health pursuant thereto, upon conviction thereof, shall
4 be punished by a fine of not more than two-hundred-fifty dollars,
5 (\$250.00), or by imprisonment for not more than ninety (90) days,
6 or by both such fine and imprisonment, and each day that anyone
7 shall continue to violate or fail to comply with this ordinance
8 shall be a separate offense.

9 SECTION 15. Severability: Should any part of this ordin-
10 ance be declared unconstitutional or invalid for any reason, such
11 declaration shall not affect the validity of the remainder.

12 SECTION 16. Effective Date: This ordinance shall be in
13 full force and effect on and after same day.

14 NEW SECTION SECTION 17.

15 RESOLUTION NO. 25320

- 16 1. There is hereby established a Board of Review. Said
17 board shall consist of three (3) members: The Director
18 of Public Health, or his representative; the King
19 County Engineer, or his representative; and a sanitary
20 or civil engineer appointed by the King County
21 Executive as provided by law. In addition, one sanitary
22 or civil engineer shall be appointed by the King County
23 Executive to provide an alternate in case of absence
24 of the regular engineer member or when in the judgement
25 of the Board, a conflict of interest exists. Said
26 appointed engineer and alternate shall serve at the
27 pleasure of said Executive for a term not to exceed
28 two (2) years; subject to reappointment.

- 1 2. The Board of Review shall select one (1) member as
2 chairman who shall serve for a term of one (1) year;
3 subject to re-election. Said chairman shall conduct
4 the meetings and do all things necessary so that a
5 determination of an appeal can be made.
- 6 3. All meetings of the Board shall be open to the public.
7 Meetings shall be held at the call of the chairman and
8 at such other times as a majority of the Board may
9 determine. In any event meetings shall be held with
10 sufficient frequency that no more than thirty (30)
11 days shall elapse from the time an appeal is received
12 until a decision has been returned to the Director of
13 Public Health, Provided that if a continuance is
14 granted at the request of the appellant the Board
15 shall return its decision within a reasonable time
16 following the ending of the hearing. Notice of the
17 meeting shall be given to the appellant not less than
18 three (3) days prior to the hearing date. At the
19 hearing parties of interest may appear in person or by
20 agent or attorney.
- 21 The Board shall keep minutes of its proceedings show-
22 ing the vote of each member upon every question '
23 decided by it, or if any member is absent or fails to
24 vote, indicating such fact. Statement of the facts
25 found by the Board shall also be included in the
26 minutes of each case heard or considered by it. The
27 Board may reverse or affirm, wholly or in part, or
28 may modify the order, requirement, decision or deter-
29 mination being appealed as in its opinion ought in
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1 shall also appear in the minutes. All decisions shall
2 be by a majority vote of the members present and said
3 decisions of the Board shall be binding upon the
4 Director of Public Health.

5 The Board shall adopt its own rules of procedure; a
6 copy of which shall be filed with the Clerk of the
7 Council.

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9 4. An appeal from the requirements of the rules and
10 regulations may be granted where there are unusual
11 circumstances or conditions where the application of
12 the requirements would cause undue and unnecessary
13 hardship. No appeal shall be granted which would in
14 any way tend to jeopardize the public health and
15 safety and welfare or in any way tend to interfere
16 with or prejudice the rights of others to the com-
17 fortable enjoyment of life or property.

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19 5. Any person, persons, firm, partnership or corporation
20 aggrieved by the application of the rules and regula-
21 tions promulgated by the Director of Public Health
22 pursuant to this Resolution or to a ruling thereunder
23 to land in which he has an interest may take an
24 appeal to the Board of Review. Such appeal shall be
25 taken within such time as shall be prescribed by the
26 said Board by general rules adopted by it. The appeal
27 shall be made on forms prescribed and provided by the
28 Director of Public Health and filed with the Director
29 of Public Health who shall accept the same upon the
30 payment of a twenty-five dollar (\$25.00) fee. Such
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1 exhibits as may be pertinent and reasonably necessary
2 may be submitted with the appeal form. The Director
3 of Public Health shall forthwith transmit to the
4 of Review all documents and exhibits necessary for a
5 hearing on the appeal.

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7 NEW SECTION. SECTION 18.

8 The King County Council finds as a fact and declares that
9 an emergency exists and that this ordinance is necessary for the
10 immediate preservation of public peace, health or safety or for
11 the support of County Government and it's existing public insti-
12 tutions.

13 PASSED by the Council at a regular meeting thereof on
14 the 6th day of March, 19 72.

15
16 KING COUNTY COUNCIL
17 KING COUNTY, WASHINGTON

18 Phaez J. Owen
19 Chairman
20

21 ATTEST:

22
23 Lee Kraft
24 Clerk of the Council
25

26
27 APPROVED this 14th day of March, 19 72.

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29 [Signature]
30 King County Executive
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